

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/31/2024

WENDELL BELLE,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

23-CV-9697 (VEC)

15-CR-0537-3 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on January 9, 2024, the Court stayed Mr. Belle's 2255 Petition and directed him to file a motion to recall the Mandate issued by the Second Circuit on September 9, 2022, consistent with the procedures set forth in *Taylor v. United States*, 822 F.3d 84 (2d Cir. 2016), *see* Dkt. 5; and

WHEREAS on January 30, 2024, Mr. Belle filed a Motion pursuant to Federal Rule of Civil Procedure 59(e) for reconsideration of the Court's Order at Dkt. 5 and requesting that the Court appoint new appellate counsel and grant ground one of his 2255 Petition.

IT IS HEREBY ORDERED that Mr. Belle's Rule 59(e) Motion is DENIED. The Court's January 9, 2024 Order directing Mr. Belle to file a motion to recall the Mandate is the procedure set forth in *Taylor*.

IT IS FURTHER ORDERED that the Court's January 9, 2024 Order is amended to require Mr. Belle to file the motion to recall the mandate by no later than March 8, 2024.

The Clerk of Court is directed to mail a copy of this order to Mr. Belle.

SO ORDERED.

Dated: January 31, 2024
New York, New York



VALERIE CAPRONI
United States District Judge